REMARKS/ARGUMENTS

A Notice of Allowance was mailed on April 21, 2008. The Notice indicated that Claims 45-60 are allowed. In response to that Notice, an RCE is filed, Claims 45, 46, 53, and 54 are amended, and no claims are added or canceled. Hence, Claims 45-60 are pending in the application.

CLAIM 45

Present Claim 45 now recites:

> A machine-implemented method, comprising the steps of:
> receiving one or more requests from a service requestor that is using a network
>> address to address the one or more requests to a service provided by a
>> first node within a cluster, wherein said first node is configured to
>> provide said service to requests addressed to said network address;
> in response to said first node becoming unavailable, automatically configuring a
>> second node of the cluster to respond to requests addressed to said
>> network address;
> after said first node becomes unavailable, receiving a request from the service
>> requestor that is using said network address to address a message to said
>> cluster related to said service; and
> in response to said message, said second node of the cluster sending a response
>> that indicates an error condition.

The main difference between present Claim 45 and Claim 45 that was allowed (hereinafter "allowed Claim 45") is that present Claim 45 is from the perspective of the cluster rather than from the perspectives of both the service requestor and the cluster, as in allowed Claim 45. Also, "IP address" is amended to recite "network address" instead.

Present Claim 45 still includes the novel and non-obvious features of allowed Claim 45, one of which is that a second node in a cluster is configured to respond to requests that are addressed to an address associated with a first node that became unavailable.

Based on the foregoing, the cited art from the last Office Action still fails to teach or suggest, either individually or in combination, all the features of present Claim 45. Thus, Claim 45 is still patentable over the cited art.

CLAIM 53

Claim 53 is a computer-readable storage medium that carries instructions that, when executed, causes one or more processors to perform the steps recited in Claim 45. Accordingly, Claim 53 still includes the features of Claim 45 that are patentable over the cited art.

DEPENDENT CLAIMS

Claims 46-52 and 54-60 are dependent claims, each of which depends (directly or indirectly) on one of the claims discussed above. Each of Claims 46-52 and 54-60 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 46-52 and 54-60 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants reserve the right to further point out the differences between the cited art and the novel features recited in the dependent claims.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

/DanielDLedesma#57181/

Daniel D. Ledesma
Reg. No. 57,181

Date: May 20, 2008
2055 Gateway Place, Suite 550
San Jose, CA 95110
Telephone: (408) 414-1080 ext. 229
Facsimile: (408) 414-1076